



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/696,566 Confirmation No.: 2909
Applicant : Richard H. BOIVIE
Filed : October 25, 2000
Art Unit : 2455
Examiner : Philip B. Tran
Docket No. : YOR920000591US1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to:
Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

On May 12, 2009
Date

Jose Gutman
Name

/Jose Gutman/
Signature

TERMINAL DISCLAIMER

Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450
ATTN: Examiner Philip B. Tran

Sir:

Your petitioner, INTERNATIONAL BUSINESS MACHINES CORPORATION, having its principal place of business at New Orchard Road, Armonk, New York, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application and invention covered thereby as established by the assignment recorded at Reel 011701, Frame 0247. The assignment documents have been reviewed and INTERNATIONAL BUSINESS MACHINES CORPORATION certifies that to the best of its knowledge and belief, title to the above-identified application is in INTERNATIONAL BUSINESS MACHINES

CORPORATION. (37 C.F.R. § 3.73(b))

INTERNATIONAL BUSINESS MACHINES CORPORATION hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the date of the full statutory term for U.S. Patent No. 7,254,602, issued on August 7, 2007. INTERNATIONAL BUSINESS MACHINES CORPORATION hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be held by the same entity holding the legal title to U.S. Patent No. 7,254,602, issued on August 7, 2007. This agreement is to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, and assigns.

INTERNATIONAL BUSINESS MACHINES CORPORATION does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of U.S. Patent No. 7,254,602, issued on August 7, 2007, in the event that U.S. Patent No. 7,254,602 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term.

I hereby aver that I have the authority of INTERNATIONAL BUSINESS MACHINES CORPORATION to make all statements, representations, and agreements set forth herein and that I am empowered to sign this document on behalf of INTERNATIONAL BUSINESS MACHINES CORPORATION. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: May 12, 2009

By:

/Jose Gutman/

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